

Appl. No. 10/662,893
Amdt. Dated March 27, 2006
Reply to Office Action of October 26, 2005

APP1479

REMARKS/ARGUMENTS

Claims 1-17 of the present application have been rejected by the Examiner. Claims 1-2 and 4-6 have been rejected under 35 U.S.C. §102(c) as being anticipated by United States Patent No. 6,757,723 to O'Toole ("O'Toole"). Claims 3, 7 and 15-17 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being obvious in view of O'Toole and United States Patent No. 6,925,297 to Wenzel ("Wenzel"). Additionally, claims 8-14 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being obvious in view of O'Toole and Wenzel further in view of United States Patent No. 6,813,677 to Yao et al. ("Yao"). Applicants have amended claims 2 and 15 in order to more distinctly claim the subject matter that is deemed to be the present invention. Additionally, the abstract has been amended to overcome the objection of the Examiner as to the use of "language that can be implied" and the length of the abstract.

With regard to the rejection of independent claims 3, 7 and 15-17 in view of the O'Toole reference, applicant respectfully disagrees with the position of the Examiner for various reasons set forth below.

With respect to claim 1 the Examiner states that all steps of the claim are taught by O'Toole. O'Toole describes a system in which network appliances are installed and then seek information about their owners from a central registry in which such information has been placed by the owner. The present invention is directed to a much different network, user and device. In the present invention the user purchases a device or entity that if properly configured could enable the user to access a certain type of network service. The system and method of the present invention uses a "plug and play" (P&P) mechanism to authenticate its owner identity and verify that its owner is authorized for the requested service, i.e., has subscribed for the service. Then, the P&P mechanism automatically scans the device to determine what (e.g., software, configuration scripts, etc) the device should have in order to support user's requested service. Upon this determination, the P&P identifies and collects the required package of software, configuration scripts, etc. from the repository and across the Internet, pushes it onto the device and install it on the device. In order to do so, the device is assigned a temporary IP address and then communicates with a plug server which identifies the type of software that the entity would need to provide the service to the user. The Examiner cites column 12, line 53 to column 13, line 9 as disclosing the step of identifying the software necessary for the entity to provide the service. A review of this section of O'Toole reveals that it actually discloses the use of a configuration table having a package of configuration records for a specific device. In response to a query from an

Page 7 of 10

Appl. No. 10/662,893
Amdt. Dated March 27, 2006
Reply to Office Action of October 26, 2005

APP1479

appliance the registry sends back information on the identity of the owner of the appliance and provides boot configuration information that the owner may have already loaded in configuration table 36 of database 30. There is no need to identify the software that is necessary for an entity to provide a service because that has already been predetermined by the owner of the appliance who has registered this information with the registry which merely awaits contact by the appliance before forwarding the information. There is also no teaching or suggestion in O'Toole of the step of "collecting the necessary software from one or more software inventories in communication with the plug server." The cited passage of O'Toole does not teach or suggest such a collecting step. Again, in O'Toole the registry is pre-loaded with the information that the appliance owner has placed in the configuration table. There is no need to identify software necessary to provide a service and then collect that software for transmission to the appliance.

Claim 2 is neither taught nor suggested by O'Toole. Claim 2 adds the additional step of sending an inspector agent from the plug server to the entity to identify the software needed by the entity to provide the service. Column 15, lines 12-22 and Column 16, lines 61-63 do not disclose such a software agent as presently claimed by amended claim 2. At most, O'Toole discloses the use of a person to install an appliance by contacting the appliance registry. This does not teach or suggest the use of a *software* agent that is sent from the plug server to the entity to determine what type of software is necessary for the entity to provide the desired service. In fact, the person referenced in O'Toole does not determine the software needs of the appliance. Again these needs are dictated by the appliance owner's entry into the configuration database of the registry. This does not teach or suggest the present invention.

Claims 4-6 were not specifically addressed by the Examiner. It is the position of the applicant that O'Toole neither teaches nor suggests the subject matter of these claims.

Claims 3, 7 and 15-17 were rejected under 35 U.S.C. § 103(a) as being obvious in view of O'Toole and United States Patent No. 6,925,297 to Wenzel ("Wenzel"). Wenzel does not overcome the deficiencies in the O'Toole reference discussed above with respect to claims 1-2 and 4-6. There is no disclosure in Wenzel of the identification of software necessary to provide a service on an entity, the collecting of the necessary software to provide the service, the transferring of the software from the plug server to the entity or the use of a software inspector agent to determine the software needs of the entity. Applicant agrees that O'Toole also does not teach or suggest the authentication step of claim 3. Although Wenzel teaches the use of AAA protocols for authentication of physical devices in IP networks it does not overcome the

Appl. No. 10/662,893
Amdt. Dated March 27, 2006
Reply to Office Action of October 26, 2005

APP1479

other myriad deficiencies of O'Toole discussed immediately above. There is no motivation in O'Toole to introduce authentication because it is not necessary. In O'Toole the owner of appliances has registered by placing information in the configuration database of the registry. There is no need to authenticate an appliance that is merely looking for information from its owner. In the present invention, authentication is necessary because a user of an entity may or may not have authorization to access a particular network service for which it is requesting software.

Claim 7 is directed to the specific steps used to assign a temporary IP address to an entity. The Examiner states that O'Toole does not teach these steps but that Wenzel does at column 4, lines 50-59 and column 5, lines 14-27. Applicant does not understand the applicability of the cited section of Wenzel to claim 7. Additional clarification is necessary. Applicant agrees that O'Toole does not teach or suggest claim 7 alone or in combination with Wenzel.

With respect to claims 15 and 16, applicant disagrees with the contention of the Examiner that O'Toole teaches a plug server having an inspector agent software module for identifying the software necessary for an entity to provide a service to a user and for installing the necessary software in the entity. Thus, Wenzel cannot overcome the deficiencies in O'Toole even if Wenzel discloses the login handler software, subscription handler software, selection handler software and/or the AAA protocol based server even if it would have been obvious to combine the references which is debatable.

Applicant notes that claims 14 and 17 were rejected but it appears that they are objected to only for depending upon a rejected claim. Applicant respectfully requests clarification as to whether claims 14 and 17 would be allowable if rewritten into independent form including all elements of the rejected base claims.

Claims 8-14 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being obvious in view of O'Toole and Wenzel further in view of United States Patent No. 6,813,6770 to Yao et al. ("Yao"). Yao et al. describes classic plug and play functionality whereby a device is connected to a computer and drivers are installed to enable its use. There is no teaching or suggestion of the use of a plug server that has an inspector agent that can be sent to a remote entity to determine the software necessary to enable the entity to provide a desired network

Appl. No. 10/662,893
Amdt. Dated March 27, 2006
Reply to Office Action of October 26, 2005

APP1479

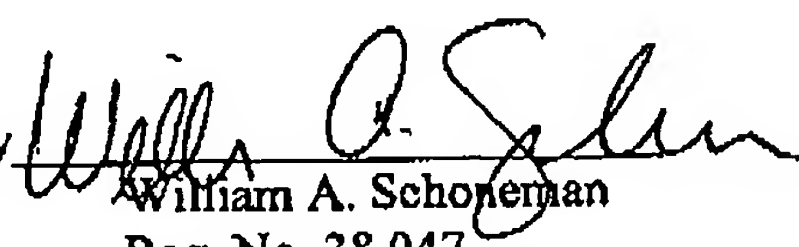
service to a user. Yao et al. does not overcome the deficiencies in O'Toole and Wenzel even if the three references could be combined by one skilled in the art.

Applicant hereby requests reconsideration of claims 1-17, in view of the above amendments and discussion, and allowance thereof is respectfully requested.

A two-month extension of time is hereby respectfully requested.

Respectfully submitted,

Telcordia Technologies, Inc.

By 
William A. Schoneman
Reg. No. 38,047
Tel.: (732) 699-3050